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In re Application of	:	OFFICE OF PETITIONS
Marcello Quadrana	:	
Application No. 09/322,248	:	DECISION ON
Filed: May 28, 1999	:	PETITION
For: Food Grinder	:	

This is a decision on the REQUEST FOR RECONSIDERATION OF DISMISSED PETITION AND PETITION UNDER 37 CFR 1.181 FOR WITHDRAWAL OF HOLDING OF ABANDONMENT AND REQUEST FOR REMAILING OF NOTICE OF ALLOWANCE filed October 23, 2006.

The above-identified application became abandoned for failure to timely pay the issue fee and publication fee within the three-month statutory period set in the Notice of Allowance and Fee(s) Due mailed April 25, 2005. A courtesy Notice of Abandonment was mailed on June 13, 2006.

By decision mailed August 21, 2006, the initial petition filed June 8, 2006 was dismissed. Petitioner failed to show that there was an error in the mailing of the Notice of Allowance warranting withdrawal of the holding of abandonment. The evidence of record showed that the Notice was properly mailed to the uncorrected correspondence address of record.

On instant renewed petition, applicant submitted persuasive evidence that a revocation of power of attorney and change of correspondence address signed by the sole inventor (with a copy signed by an appointed agent) were filed on July 11, 2000. This evidence included a date-stamped and itemized return postcard. However, the Notice was not mailed to this corrected address.

Given this additional evidence, it is concluded that withdrawal of the holding of abandonment is warranted.

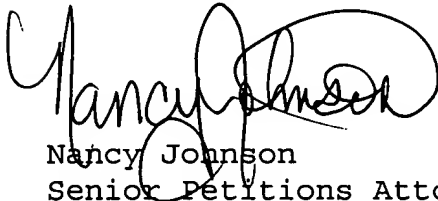
In view thereof, the notice of abandonment mailed June 13, 2006 is hereby VACATED, and the holding of abandonment is hereby WITHDRAWN.

The petition under § 1.181 is GRANTED.

No fee is required on petition under § 1.181.

Technology Center AU 3962 has been advised of this decision. The application file is, thereby, forwarded to the Technology Center's technical support staff to withdraw the holding of abandonment and for re-mailing of the Notice of Allowance and Fee(s) Due (and the Notice of Allowability) mailed April 25, 2005 and for restarting of the period for reply.

Telephone inquiries related to this decision should be directed to the undersigned at (571) 272-3219.

A handwritten signature in black ink, appearing to read "Nancy Johnson", is written over the typed name.

Nancy Johnson
Senior Petitions Attorney
Office of Petitions